

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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10 GARY GRYZWA,)
11 Plaintiff,) 2:11-cv-30-RCJ-RJJ
12 vs.)
13 ALLIANCE MECHANICAL, INC., *et al.*,) O R D E R
14 Defendant,)

This matter came before the Court for a hearing on Plaintiff's Emergency Motion to Compel Appearance at Depositions; for Stay of Briefing; for Case Management Conference (#63). The Notice of Deposition included Mark W. Vernon, Dawn Vernon and Alliance Mechanical, Inc.

The Defendant, Mark W. Vernon, filed a Suggestion of Bankruptcy (#78) on August 20, 2012. Defendants Mark W. Vernon and Dawn M. Vernon filed bankruptcy under Chapter 11 in Case No. 12-19554-MKN. While both individual defendants have filed bankruptcy, the corporation has not. This was confirmed by the Plaintiff in a Notice to the Court (#80) filed on September 5, 2012. Therefore, the Plaintiff has decided not to take any further action in this case against the corporate defendant, “until such time as he can ascertain the effect of the automatic stay and the bankruptcy proceedings on that Defendant.” Notice (#80) at 1. Good cause appearing therefore,

IT IS HEREBY ORDERED that Plaintiff's Emergency Motion to Compel Appearance at

1 Depositions; for Stay of Briefing; for Case Management Conference (#63) is **DENIED**
2 **WITHOUT PREJUDICE.**

3 IT IS FURTHER ORDERED the request to Stay Briefing and for Case Management
4 Conference contained in the Emergency Motion to Compel (#63) are **DENIED**.

5 DATED this 12th day of September, 2012.

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7 ROBERT J. JOHNSTON
8 United States Magistrate Judge

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